1887, above referred to, was passed in continuation of the Resolution hereby notified, as also of the Resolution of the Secretary of State in Council, dated 30th September 1885, relating to Aden, which was notified by Foreign Department Notification No. 1898-E., dated the 16th December 1885.[1]

REGULATION III OF 1902 TO RESTRICT THE SEA TRAFFIC IN ARMS AND AMMUNITION BETWEEN ADEN AND PLACES IN THE GULF OF ADEN.

Govt. of India, Legislative dept., No. 20, dated 7th October 1902, republished in Govt. Notn. No. 7490, dated 13th October 1902, B. G. G., Pt. I, p. 1749.

Whereas by a Resolution passed by the Secretary of State for India in Council on the 10th day of September 1884, the provisions of Section 1 of the Government of India Act, 1870 (33 Vict., C. 3), were declared applicable to the Island of Perim;

And whereas by a Resolution passed by the said Secretary of State for India in Council on the 30th day of September 1885, the provisions of the said section were declared applicable to Aden;

And whereas by a Resolution passed by the said Secretary of State for India in Council on the 9th day of November 1886, the provisions of the said section were declared applicable to the Settlement of Aden and its Dependencies for the time being, inclusive of the villages of Shaikh Othman, Imád and Hiswa, the Island of Perim, and Little Aden;

And whereas the places to which the provisions of the said section were declared applicable by the said Resolutions were and are part of the territories under the administration of the Governor of Bombay in Council;

And whereas the said Governor of Bombay in Council has proposed to the Governor General in Council a draft of the following regulation, together with the reasons for proposing the same;

And whereas the Governor General in Council has taken the draft and reasons into consideration, and has approved of the draft and the same has received the assent of the Governor General on the 3rd day of October 1902;

In pursuance of the direction contained in the said section, the said Regulation is now published in the *Gazette of India*:—

REGULATION No. III OF 1902.

A Regulation to restrict the Sea traffic in arms and ammunition between Aden and places in the Gulf of Aden.

WHEREAS it is expedient to restrict the sea traffic in arms and ammunition between Aden and places in the Gulf of Aden; it is hereby enacted as follows:

Short title.

1. This Regulation may be called the Aden Sea-traffic in Arms Regulation, 1902.

---

(1) See *Gazette of India*, 1885, Pt. I, p. 675.

2. In this Regulation, unless there is anything repugnant in the subject or context,—

(*a*) "Resident" means the Political Resident at Aden;

(*b*) "prescribed port" means such port within His Majesty's Somaliland Protectorate as, subject to the control of the Governor of Bombay in Council, the Resident may, by general or special order, prescribe for the purposes of Section 3, sub-section (2), and Section 4, clauses (2) and (3), respectively; and

(*c*) all words and expressions defined in the Indian Arms Act, 1878, and used in this Regulation shall be deemed to have the meanings respectively assigned to them by that Act.

Restrictions on port clearance in certain cases.

3. (1) No vessel shall depart or proceed from Aden on a voyage to any place in the Gulf of Aden without obtaining a port clearance from such officer as the Resident may appoint in this behalf.

(2) In the case of a vessel departing or proceeding from Aden on a voyage to any place on the African Coast of the Gulf of Aden within His Majesty's Somaliland Protectorate to the east of Berbera, the officer whose duty it is to grant a port clearance shall not grant the clearance unless and until the master, owner or agent for the vessel and two sureties resident in Aden have executed in favour of the Secretary of State for India in Council a joint and several bond for the sum of two thousand rupees, or such smaller sum as, subject to the control of the Governor of Bombay in Council, the Resident may, by general or special order, appoint in this behalf, conditioned that the vessel, after leaving Aden, shall first touch at the prescribed port within such time as may be stipulated in the bond, and shall not leave that port until she obtains from the proper authority permission in writing so to leave.

(3) In the case of any vessel departing or proceeding from Aden on a voyage to any place on the Arabian Coast of the Gulf of Aden, the officer whose duty it is to grant a port clearance shall not grant the clearance unless and until the master, owner or agent of the vessel and two sureties resident in Aden have executed in favour of the Secretary of State for India in Council a joint and several bond for the sum of two thousand rupees, or such smaller sum as, subject to the control of the Governor of Bombay in Council the Resident may by general or special order, appoint in this behalf, conditioned that the vessel, after leaving Aden, shall proceed direct to the place declared to such officer as her destination and shall not during the period of the bond be employed in carrying any arms, ammunition, military stores or explosives between any places on the Arabian and African Coasts of the Gulf of Aden.

(4) In lieu of the surety bond required by sub-section (2) or (3), the master, owner or agent of the vessel may, with the permission of the Resident, execute a bond without sureties similarly conditioned and furnish other sufficient security for the performance of the conditions of the bond.

Penalties.

4. The master and the owner—

(1) of any vessel departing or proceeding from Aden on a voyage to any place in the Gulf of Aden, who has not obtained a port clearance from the officer whose duty it is to grant such port clearance, or

(2) of any vessel arriving in Aden from any place on the African Coast of the Gulf of Aden within His Majesty's Somaliland Protectorate to the east of Berbera, who does not produce in Aden a written permission from the proper authority at the prescribed port to depart or proceed from that port to Aden direct, or

(3) of any vessel arriving in Aden which, after leaving the prescribed port, has touched at any other place otherwise than by reason of the perils of the sea or other unavoidable accident, or

(4) of any vessel arriving in Aden from any place on the Arabian Coast of the Gulf of Aden which, before leaving the said place for Aden, has,—

(*a*) within a period of one year, or

(*b*) where port clearance has been granted under Section 3, sub-section (1), within the period referred to in clause (*a*), then since the grant of such port clearance,

carried arms, ammunition, military stores or explosives between any places on the Arabian and African Coasts of the Gulf of Aden, shall, on conviction before a Magistrate, be punishable with fine which may extend to one thousand rupees, or with imprisonment for a term which may extend to six months, or with both.

Detention, realization and confiscation.

5. (1) Where the owner or master of a vessel is charged with any offence punishable under Section 4, the Resident may, by order in writing, direct such vessel to be detained; and, where such owner or master is sentenced to pay a fine for any such offence and the fine is not paid at the time and in the manner prescribed by the order of payment, the Court may, in addition to any other means prescribed by law for enforcing payment, direct the amount remaining unpaid to be levied by distress and sale of such vessel, and the tackle, apparel and furniture thereof, or so much thereof as may be necessary.

(2) Where the owner or master is convicted of any offence punishable under sub-section (4) of Section 4, the Resident may further, by order in writing, direct that the vessel be confiscated.

Searching posts.

6. The Resident, with the previous sanction of the Governor of Bombay in Council, may, on or near such public or private wharves or other landing places as he may deem expedient, establish searching posts at which all boxes, bales and packages landed or in transit may be detained and searched for arms, ammunition and military stores by any officer appointed by the Resident in this behalf.

Validation of acts done before commencement of Regulation.

7. All proceedings taken, orders issued, sentences passed, penalties imposed, detentions enforced, sums levied, distresses or confiscations made, sales held and other acts done before the commencement of this Regulation are, in so far as the same might have been taken, issued, passed, imposed, enforced, levied, made, held or done if this Regulation had been in force, hereby confirmed and made valid; and all officers of Government and all persons acting under their authority are hereby indemnified and discharged from liability in respect of such proceedings, orders, sentences, penalties, detentions, sums, distresses, confiscations, sales, and acts to the extent aforesaid.

Exemption.

8. Subject to the control of the Governor of Bombay in Council, the Resident may declare that all or any of the provisions of this Regulation shall not apply in the case of any vessel or class of vessels and may from time to time alter or vary any such declaration.

REGULATION II OF 1908 FOR PROTECTING THE PERIM PEARL FISHERY.

Govt. of India, Legislative dept., Notn. No. 13, dated 24th September 1908, republished in Govt. Notn., No. 6373, dated 30th September 1908, B. G. G., 1908, Pt. I, p. 1580.

Whereas by a Resolution passed by the Secretary of State for India in Council on the 10th day of September 1884, the provisions of Section 1 of the Government of India Act, 1870 (33 Vict., C. 3), were declared applicable to the Island of Perim;

And whereas by a Resolution passed by the said Secretary of State for India in Council on the 9th day of November 1886, the provisions of the said section were declared applicable to the Settlement of Aden and its dependencies for the time being, inclusive of the villages of Shaikh Othman, Imad and Hiswa, the Island of Perim and Little Aden;

And whereas the places to which the provisions of the said section were declared applicable by the said Resolutions were and are part of the territories under the administration of the Governor of Bombay in Council;

And whereas the said Governor of Bombay in Council has proposed to the Governor General in Council a draft of the following Regulation, together with the reasons for proposing the same;

And whereas the Governor General in Council has taken the draft and reasons into consideration, and has approved of the draft and the same has received the assent of the Governor General on the 16th day of September 1908;

In pursuance of the direction contained in the said section, the said Regulation is now published in the *Gazette of India* and in the *Bombay Government Gazette*.

REGULATION No. II OF 1908.

A Regulation for Protecting the Perim Pearl Fishery.

Whereas the right to fish for pearl and pearl shell in the territorial waters of the Island of Perim belongs exclusively to Government; and whereas it is expedient to provide for the protection of this right by prohibiting fishing by the public save under license; It is hereby enacted as follows:—

Short title.

1. This Regulation may be called the Perim Pearl Fishery Regulation, 1908.

Definitions.

2. In this Regulation, unless there is anything repugnant in the subject or context,—

(1) "Resident" means the Political Resident at Aden; and

(2) "pearl oyster" includes the brood and spawn of pearl oysters, but does not include ordinary edible oysters.